IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 27278 of 2006(V)

PETITIONER:

SREEKUMARI P., UPSA,
RAMAKRISHNA A.U.P.SCHOOL,
THATHRAMKAVILKUNNU, KONIKKAZHI P.O.,
OTTAPALAM, PALAKKAD DISTRICT.

BY ADV. SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA

RESPONDENTS:

---

1. STATE OF KERALA,
REP. BY SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT EDUCATIONAL OFFICER,
OTTAPALAM, PALAKKAD DISTRICT.

3. THE ASSISTANT EDUCATIONAL OFFICER,
CHERPULASSERRY, OTTAPALAM TALUK,
PALAKKAD DISTRICT.

4. THE MANAGER,
RAMAKRISHNA A.U.P.SCHOOL,
THATHRAMKAVILKUNNU, KONIKKAZHI P.O.,
OTTAPALAM, PALAKKAD DISTRICT.

5. V.NIRMALADEVI, UPSA (H.M. IN-CHARGE),
RAMAKRISHNA A.U.P.SCHOOL,
THATHRAMKAVILKUNNU, KONIKKAZHI,
PALAKKAD DISTRICT.

BY GOVT. PLEADER SMT. LAKSHMI RANI
ADV. SRI.S.RAMESH BABU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1. COPY OF GO (Rt.) No.2110/93/GE DT. 10.6.93.

EXT.P2. COPY OF THE REPRESENTATION DT. 24.6.05 SUBMITTED BY THE PETITIONER BEFORE THE 2ND & 3RD RESPONDENTS.

EXT.P3. COPY OF THE REPRESENTATION DT. 13.7.05 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

EXT.P4. COPY OF THE NOTICE NO.B-4/4865 DT. 25.7.05 ISSUED BY THE 3RD RESPONDENT.

EXT.P5. COPY OF THE REPRESENTATION DT. 6.8.05 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P6. COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT BEARING NO.K.Dis.B-4/1007/2006 DT. 28.9.06.

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 27278 OF 2006

Dated this the 16th day of March, 2007

J U D G M E N T

Learned counsel for the parties are in agreement that Ext.P6 order can be quashed in as much as the said order was passed by the 2nd respondent without hearing the petitioner. Accordingly, Ext.P6 is quashed. Respondent No.2 is directed to consider the matter afresh and pass appropriate orders in accordance with law, keeping in view the decisions of this Court in **Sreedevi Amma v. Radha Devi** [2005 (2) KLT 796], **Secretary to Government v. Jayaprakash** [KLT SN Case No. 16] and **Dr. Krishna Pillai v. State of Kerala** [1988 (2) KLT 106], which according to the parties do have a bearing on the issue. Orders shall be passed by respondent No.2 as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this judgment.

A.K. BASHEER, JUDGE

vps

KURIAN JOSEPH, JUDGE

OP NO.

JUDGMENT

21st DECEMBER, 2006